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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, our hope for years to come, as we approach Yom Kippur, the holiest day in the Jewish year, inspire us to strive to live Godly lives.

Lord, remind our lawmakers that You call each of us to flee from impurity and to live with integrity. Teach our Senators to accentuate the positive, to think thoughts that are pure, commendable, just, and honorable. May they permit You to cleanse them from every defilement, empowering them to live for You as they seek to do Your will.

Lord, create in us all clean hearts and renew a right spirit within us.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

PAIN-CAPABLE UNBORN CHILD PROTECTION BILL

Mr. McCONNELL. Mr. President, ask a family to show you the first picture of their child these days, and you are likely to get a black-and-white image with delicate fingers and tiny toes.

Maybe it is their precious Christine. Maybe it is their little guy Brett. But one thing's for sure—that baby is their child.

Scientific advances like the sonogram are helping pull back the curtain on the mystery of life, they are helping foster a new spirit of compassionate protection for the most defenseless, and they are providing new opportunities to bridge old political divides.

We in this Chamber are never going to agree completely on the abortion question, but we should at least be able to agree that if an unborn child has reached the point where he or she can feel pain, that child's life deserves protection. Science is telling us that a child can reach this stage around 20 weeks—in other words, 5 months. This is when unborn children can react—even recoil—to stimuli an adult would recognize as painful. This is when doctors even administer fetal anesthesia during surgery.

As the New England Journal of Medicine study recently demonstrated, babies delivered at this age can survive outside the womb. So even if we differ on the larger abortion issue, can't we at least agree that children at this late stage of development deserve our protection? The American people seem to think so. Polls show that American women and American men oppose abortions after 5 months. The fact is that we are now one of just seven nations—among them countries such as North Korea and China—that allow elective abortions at such a late stage. Can't we do better than this as a country? The Pain-Capable Unborn Child Protection Act would allow America to finally join the ranks of the most civilized nations on this issue.

Just this past weekend in Louisville, hundreds of Kentuckians gathered to spread a message of dignity and hope. They marched for those who may not meet them. They marched for those who may not hear them. But I hope

Americans across the country, including participants in the 37th annual Walk for Life, will be encouraged to know that their voices of humanity and of respect are finally being heard again in a Senate under new leadership.

The executive director of Kentucky Right to Life said the issue before us is "critical." She said, "We have worked tirelessly to give these defenseless babies some protection." Several States have already taken action to protect these children. So has the House of Representatives. Now it is up to each of us to show where we stand. We are seeing how science is changing this debate.

So what I am asking every colleague is this: Look in your hearts and help us stand up for the most innocent life, help us protect that beating heart in that sonogram.

MEASURES PLACED ON THE CALENDAR—H.R. 3134 AND H.R. 3504

Mr. McCONNELL. Mr. President, I understand there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bills by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3134) to provide for a moratorium on Federal funding to Planned Parenthood Federation of America, Inc.

A bill (H.R. 3504) to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

Mr. McCONNELL. Mr. President, in order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call under rule XXII be waived with respect to the cloture vote on the motion to proceed to H.R. 36.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

WOMEN'S HEALTH

Mr. REID. Mr. President, it is said you cannot make the same mistake twice because the second time it is a choice, it is not a mistake. I repeat: It is said you cannot make the same mistake twice because the second time you make it, it is a choice. On every issue, Republicans are choosing to employ the same failed strategy they have tried time and time again. They are making choices. Over and over again, they drag Congress and the American people through votes that are nothing more than publicity stunts, solely designed to boost their conservative records.

Today we stand in the midst of yet another show vote designed to honor the political wish lists of extremists. Once again, Republicans have decided to place a woman's health at the center of their ideological campaign. We have seen this tactic before. It does not work.

Americans are tired of the Republican attacks on the health of women. Earlier this year, Republicans manipulated a bill. The bill was to help victims of human trafficking. They turned it into a political football by attaching ideological abortion riders. They have tried to repeatedly cut off funds for Planned Parenthood, a critical safety net provider for women.

Now today, in the face of a government shutdown, they decide to waste the Senate's time on a 20-week abortion ban. Every Senator in this body knows this bill is going nowhere. This attack is a waste of time. The bill on its merits is no good. It will accomplish nothing. By holding today's vote, the Republican leader is pandering to the rightwing extremists in his party who are willing to take our government hostage, trying to score nothing more than political points.

The time for partisan politics is over. The Senate, our government, cannot afford to be subjected to meaningless attacks on the health of women. We will be in session for only 2 more days this week. The House will not convene today or tomorrow. On October 1 the government will run out of money. With or without the stamp of approval Republicans are so desperately seeking, on October 1 the government will be out of money.

Republicans should end their partisan attack on women and join Demo-

crats in carrying out one of our primary responsibilities as elected officials, as Members of Congress, and that is to keep the government doors open. Actions speak louder than words. These partisan attacks on the health of women, led by Republicans and the leader specifically today, will not only push Congress to the brink of another government shutdown—we are there. It would show once again that Republicans would rather attack women's health than keep their obligation to the American people.

On Thursday we are going to be in a very difficult time squeeze. We are going to have another vote, abortion related, on Planned Parenthood, and then we are going to have to try to figure out a way to fund the government. This responsibility is on the Republicans. They control the House and the Senate. It is not our responsibility. We will help in any way we can. We have not held up anything procedurally. We do not intend to do that. We want to move forward and get the government funded. But we are at a crossroads here. I am not sure we can make it with the time set because of all of these unnecessary votes that have been scheduled by the Republican leader these last couple of weeks. I hope we can make it and not have to see the government shut down again. But, you know, we have seen that before. The American people have been to that rodeo before. Who has suffered? The American people.

I would hope the Republican leader has a plan to help us get out of this morass they have created. We will do everything we can within reason to make sure the American people are treated fairly in the upcoming spending bills, but we have to get there by October 1.

Will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 36, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 230, H.R. 36, a bill to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. will be equally divided between the leaders or their designees.

The assistant Democratic leader.

Mr. DURBIN. Mr. President, I would like to address the issue before the

Senate. It relates to the divisive and controversial issue of abortion. It comes at an unusual moment in the history of the Congress.

This week, for the first time, the Pope will be addressing a joint session of Congress. It was 50 years ago when the first Pope visited the United States. The arrival of Pope Francis this week is a cause of great celebration to people from my State of Illinois and across this Nation because of their respect for his leadership of the Catholic Church. It calls to question, of course, the relationship between religion and our government.

This summer I finished a book called "Mayflower," which told the story of the Pilgrims coming to the United States, settling in in our country, looking for a new opportunity but looking more than anything for freedom of religious belief. They were followed by scores and thousands of others who came for the same reason.

My mother was an immigrant to this country, brought here at the age of 2. Her mother brought her and her sister and brother to our shores for a variety of reasons. But there is one thing that sticks out in that journey. Up in my office I have something that my grandmother carried across the ocean from Lithuania to the United States. It was a Roman Catholic prayer book written in Lithuanian. It was contraband in 1911 in Lithuania for her to possess it because the Russians were in control and the Russians were imposing the orthodox religion and making it difficult to practice the Catholic religion. I never knew my grandmother, but she was one brave lady to bring three kids across the ocean and stick in her bag that prayer book which meant so much to her, that prayer book which she could use in the United States of America without the government telling her she could not.

We have tried to strike the right balance between religion and our democracy from the beginning. I believe our Founding Fathers got it right. They said three things in the Constitution about religion: first, that each of us would have the freedom to worship as we choose or to choose not to worship; second, that the government would not choose a religion and that we would not have an official government religion; and third, that there would be no religious test for public office in America.

I thought those were settled principles, but this Presidential campaign suggests otherwise. We had the outrageous suggestion by a Republican Presidential candidate this last week-end that a Muslim should never serve as President of the United States. I would think that a man of his background and learning would at least take the time to understand our Constitution and the express provision which says that he is wrong, that there will never be a religious litmus test to serve in public office in the United States.